

**REMARKS/ARGUMENTS**

Favorable reconsideration of this application, in light of the preceding amendments and the following remarks, is respectfully requested.

Claims 1-8, 10-43, and 45-48 are pending in this application. Claims 9 and 44 are canceled. Claims 1, 10-15, 43, and 46 are amended. Claims 1, 20, 43, and 46 are independent claims. No new matter has been added.

In the First FOA, the Examiner appears to have objected to claim 11; rejected claims 1-4, 6, 18, 19, and 46-48 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,771,591 B1 to Belotserkovsky et al. ("Belotserkovsky II");<sup>1</sup> and rejected claims 43 and 45 under 35 U.S.C. § 103(a) as being unpatentable over Belotserkovsky II in view of U.S. Patent No. 5,802,117 to Ghosh ("Ghosh").

In the First FOA, the Examiner also appears to allow claims 20-42;<sup>2</sup> indicate that claims 5, 9, 10, 12-17, and 44 would be allowable if rewritten or amended to include all of the limitations of the base claim and any intervening claims;<sup>3</sup> and indicate that claim 11 would be allowable if rewritten or amended

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<sup>1</sup> Belotserkovsky II so as to distinguish it from European Patent Application No. 1,178,642 A2 to Belotserkovsky et al. ("Belotserkovsky I"), already of record in the present application.

<sup>2</sup> Although section 11 on page 10 of the First FOA purports to indicate that claims 24, 28, 29, 31, and 33 would be allowable if rewritten or amended to overcome the objections of the First FOA, there are no such objections. The First FOA simply fails to address claims 26, 27, and 39-42, all of which directly or indirectly depend from allowable claim 20.

<sup>3</sup> Section 12 on page 10 of the First FOA purports to indicate that claims 5 and 9-17 would be allowable if rewritten or amended to overcome the objections of the First FOA and to include all of the limitations of the base claim and any intervening claims. However, only claim 11 is objected to in the First FOA. Similarly, section 13 on page 10 of the First FOA purports to indicate that claim 15 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, ¶ 2, and to include all of the limitations of the base claim and any intervening claims. However, the First FOA includes no rejection under 35 U.S.C. § 112, ¶ 2.

to overcome the objections of the First FOA and to include all of the limitations of the base claim and any intervening claims.

Objection to Claim 11

Applicant amends claim 11 to recite, inter alia, "further comprises". Applicant submits that this amendment obviates the objection to claim 11 and requests that the associated objection be withdrawn.

Rejection Under 35 U.S.C. § 102(e)

Applicant amends claim 1 to incorporate the recitations of claim 9. Applicant submits that this amendment obviates the rejection of claims 1-4, 6, 18, and 19 under 35 U.S.C. § 102(e) and requests that the associated rejection be withdrawn.

Applicant amends claim 46 to incorporate recitations similar to the recitations of claim 9. Applicant submits that this amendment obviates the rejection of claims 46-48 under 35 U.S.C. § 102(e) and requests that the associated rejection be withdrawn.

Rejection Under 35 U.S.C. § 103(a)

Applicant amends claim 43 to incorporate the recitations of claim 44. Applicant submits that this amendment obviates the rejection of claims 43 and 45 under 35 U.S.C. § 103(a) and requests that the associated rejection be withdrawn.

Request for Reconsideration and Allowance

Accordingly, in view of the above amendments and remarks,

reconsideration of the rejections and allowance of each of claims 1-8, 10-43, and 45-48 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Director of the U.S. Patent and Trademark Office is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; in particular, extension of time fees.

Respectfully submitted,

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By

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